

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. OSH 2004-4
)	
DIRECTOR, DEPARTMENT OF LABOR)	ORDER NO. 106
AND INDUSTRIAL RELATIONS,)	
)	PRETRIAL ORDER
Complainant,)	
)	
vs.)	
)	
AVIS RENT A CAR SYSTEM, INC.,)	
)	
Respondent.)	
_____)	

PRETRIAL ORDER

Pursuant to the representations of counsel for the parties at the initial conference held on August 4, 2004, IT IS HEREBY ORDERED THAT:

1. The issues to be determined are:

Whether Respondent violated 29 CFR 1910.242(b) as described in Citation 1, Item 1.
 - a. If so, is the characterization of the violation as “serious” appropriate? If not, what is the appropriate characterization?
 - b. If so, is the imposition and amount of the proposed \$900.00 penalty appropriate?
2. Trial is scheduled on January 18, 2005 at 9:30 a.m. in the above-mentioned hearing room.
3. Discovery deadlines are established as follows:
 - a. Live witness identification November 4, 2004
 - b. Exchange of expert witness reports December 4, 2004
 - c. Discovery cut-off January 4, 2005

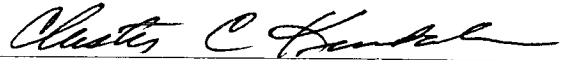
4. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, August 10, 2004.

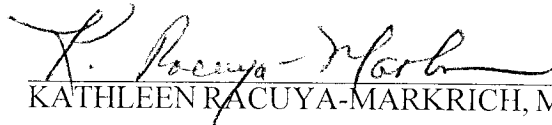
HAWAII LABOR RELATIONS BOARD



BRIAN K. NAKAMURA, Chair



CHESTER C. KUNITAKE, Member



KATHLEEN RACUYA-MARKRICH, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial date. Further, you are required to furnish a copy of this Order to a duly recognized representative of the employees at least five working days prior to the trial date.

Copies sent to:

Robyn M. Kuwabe, Deputy Attorney General
Ronald Y.K. Leong, Esq.